



09/866938

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wendell P. Noble Jr. et al.

Examiner: Jack Chen

Serial No.: 09/866938

Group Art Unit: 2813

Filed: May 29, 2001

Docket No.: 303.330US3

Title: ULTRA HIGH DENSITY FLASH MEMORY

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

Applicant has reviewed the Notice of Non-Responsive Amendment mailed on February 26, 2004. Please consider the remarks, below. No amendments are made in conjunction with this response.

Applicant hereby petitions for a one-month extension of time for responding to the Notice, thereby extending the date for response from March 26, 2004 to April 26, 2004.

Included with this petition is a fee in the amount of \$110.

REMARKS

Applicant has carefully reviewed and considered the Notice of Non-Responsive Amendment mailed on February 26, 2004. No claims are amended, canceled or added. Claims 40, 41, and 45-76 are pending in this application. Applicant intends for the listing of pending claims for this application to be modified when the Examiner considers and enters Applicant's Amendment and Response filed July 23, 2003, in response to the Office Action mailed April 23, 2003.

Non-Responsive Amendment Rejection

The Office Action states that "[t]he reply filed on July 23, 2003 is not fully responsive to the prior Office Action dated on 4/23/2003 because of the following omission(s) or matter(s): at least one (*i.e.*, *JP-2000-164883 filed on 11/28/2001 or 3/22/2002*) of the information disclosure statement filed May 29, 2001 through July 31, 2003 fails to comply with 37 CFR 1.98(a) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language." The Examiner indicated that the July 23, 2003 reply appears to be *bona fide*.